

REMARKS

Claims 1-30 are all the claims pending in the application.

Claims 1-30 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,633,303.

The Applicants traverse the rejection and request re-consideration.

In the signed and initialed copy of PTO Form 1449 corresponding to the IDS dated July 15, 2005, the Examiner has crossed out Foreign Patent Documents JP H11-243482 (Published 09-07-1999) and H11-196318. Additionally, in the signed and initialed copy of Form 1449 corresponding to the IDS dated September 8, 2003, which is simply a copy of the IDS filed in the parent application 09/849,531, the Examiner has crossed out Foreign Patent Document JP 10-210272 (Published 08-07-1998) and two Non-Patent Literature Documents by Nakajima. The Examiner has not provided any specific reasons for crossing out these references. Therefore, the Applicants respectfully request the Examiner to provide reasons for crossing out these references or provide the Applicants with a properly initialed copy of the corresponding PTO Forms 1449.

The Applicants respectfully submit a terminal disclaimer disclaiming portions of the patent term for any patent issued in this case, beyond the expiry date of U.S. Patent No. 6,633,303, to overcome the double patenting rejection.

Since there are no other pending grounds for the rejection of the claims, they must be allowed.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. §1.111.
U.S. APPLN. NO. 10/656,288

DOCKET NO. Q77368

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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